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RESIDENTIAL, FRH MANAGEMENT, LLC,

7 and DOUG SOLINSKY

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 STEVEN NEMEC,

11 Plaintiff,

12 vs.

13 ENVIRONMENTAL RESOURCE
14 RECOVERY, INC.; MICHAEL G.
15 SALINAS; JEFF HERMLE; SALVADOR
16 ORTEGA; ALFONSO VALENCIA; DOUG
17 SOLINSKY; FAIRFIELD RESIDENTIAL;
FRH MANAGEMENT, LLC,

18 Defendants.

Case No. 5:21-CV-10095-SVK

**STIPULATION FOR DISMISSAL WITH
PREJUDICE**

*(Assigned to Magistrate Judge Susan Van
Keulen)*

19 Pursuant to Federal Rule of Civil Procedure section 41(a)(1)(A)(ii), this Stipulation for
20 Dismissal with Prejudice is entered into by Plaintiff STEVEN NEMEC ("Plaintiff") and Defendants
21 FAIRFIELD RESIDENTIAL, FRH MANAGEMENT, LLC, and DOUG SOLINSKY (collectively,
22 the "Fairfield Defendants"), through and by their respective attorneys of record:

23 WHEREAS, on December 31, 2021, Plaintiff filed his Complaint in the Northern District of
24 California, styled as *STEVEN NEMEC, an individual Plaintiff, v. ENVIRONMENTAL RESOURCE*
25 *RECOVERY, INC.; MICHAEL G. SALINAS; JEFF HERMLE; SALVADOR ORTEGA; ALFONSO*
26 *VALENCIA; DOUG SOLINSKY; FAIRFIELD RESIDENTIAL; FRH MANAGEMENT, LLC*, Case
27 No. 5:21-CV-10095.

1 WHEREAS, on February 22, 2022, Plaintiff Nemec filed his First Amended Complaint.
2 Dkt. No. 22.

3 WHEREAS, on March 8, 2022, the Fairfield Defendants filed its Motion to Dismiss
4 Plaintiff's First Amended Complaint. Dkt. No. 26.

5 WHEREAS, on March 24, 2022, the Fairfield Defendants filed its Notice of No Opposition
6 Filed By Plaintiff In Response to Motion to Dismiss Plaintiff's First Amended Complaint. Dkt. No.
7 29.

8 WHEREAS, the parties now wish to stipulate to FRCP Rule 41(a)(1)(A)(ii) to dismiss
9 FAIRFIELD RESIDENTIAL, FRH MANAGEMENT, LLC, and DOUG SOLINSKY with
10 prejudice from the action;
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12 WHEREAS, with this dismissal the only remaining parties to the action are
13 ENVIRONMENTAL RESOURCE RECOVERY, INC.; MICHAEL G. SALINAS; JEFF
14 HERMLE; SALVADOR ORTEGA; and ALFONSO VALENCIA;
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19 IT IS HEREBY STIPULATED by the parties herein, through their counsels of record as
20 follows:

21 1. FAIRFIELD RESIDENTIAL, FRH MANAGEMENT, LLC, and DOUG
22 SOLINSKY are to be dismissed with prejudice from this action.

23 2. Each party is to bear its own costs and fees as incurred against one another.
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25 IT IS SO STIPULATED:

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DATED: March 25, 2022

LIBERTY AND ASSOCIATES, PC

/s/ Louis Liberty
By: Louis Liberty
Attorneys for Plaintiff,
STEVEN NEMEC

LEWIS BRISBOIS BISGAARD & SMITH
LLP

/s/ Allison Cardenas
By: Allison Cardenas
Attorneys for Defendants,
FAIRFIELD RESIDENTIAL, FRH
MANAGEMENT, LLC, and DOUG
SOLINSKY